

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

PATRICK L. KING & CATHY KING

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:14CV157-CWR-FKB

STATE OF MISSISSIPPI, COPIAH COUNTY,
CITY OF HAZLEHURST, RIAA, JAMES DUFF
INVESTIGATIONS, LLC, CHANNEL 12 WJTV,
CHANNEL 3- FOX 40 WLBT, CLARION LEDGER

DEFENDANTS

**THE RECORDING INDUSTRY ASSOCIATION OF AMERICA, INC.'S
RESPONSE IN OPPOSITION TO
TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

COMES NOW Defendant, the Recording Industry Association of America, Inc. ("RIAA"), by and through its counsel of record, and files this its Response in Opposition to Plaintiffs' Motion for Summary Judgment. The Plaintiffs' Motion for Summary Judgment was filed with this Court on May 12, 2014. (Doc. 45). On June 18, 2014, the RIAA moved this Court to dismiss the Amended Complaint against the RIAA pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. (Doc. 78). Additionally, the RIAA filed memorandum papers in support of its Motion to Dismiss. (Doc. 79). The RIAA's Motion to Dismiss is currently pending before this Court.

The RIAA respectfully refers this Court to its Motion to Dismiss and papers in support of its Motion to Dismiss, which are incorporated herein by reference, as its basis for and in opposition to the Plaintiffs' Motion for Summary Judgment.

WHEREFORE, Defendant, the Recording Industry Association of America requests that the Court deny Plaintiffs' Motion for Summary Judgment in its entirety. In the alternative, the Recording Industry Association of America, Inc. respectfully requests any other relief deemed appropriate in the premises.

RESPECTFULLY SUBMITTED this the 18th day of June, 2014.

RIAA, Defendant

By: /s/Matt Quinlivan

MATT QUINLIVAN (MSB No. 103081)

Deutsch, Kerrigan & Stiles, L.L.P.

2510 14th Street, Suite 1001

Gulfport, MS 39501

Telephone (228)864-0161

mquinlivan@dkslaw.com

CERTIFICATE OF SERVICE

I, Matt Quinlivan, hereby certify that on this day I electronically filed the foregoing pleading or other paper with the Clerk of the Court via the ECF System that served copies upon all counsel and parties of record.

This, the 18th of June, 2014.

/s/Matt Quinlivan

MATT QUINLIVAN

DEUTSCH, KERRIGAN & STILES, L.L.P.
2510 14th Street, Suite 1001
Gulfport, MS 39501
Telephone: (228) 864-0161
Facsimile: (228) 863-5278
mquinlivan@dkslaw.com